HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 462 of 2006 (SS)

Deep Chandra Joshi, Sub Inspector (GD)
Sector Head Quarter S.S.B. Ranikhet,
District Almora ..... Petitioner

Versus

1. Union of India through Secretary, Home Affairs, New Delhi
2. Director General of S.S.B. Head Quarter , S.S.B. East Block-V, R.K. Puram, New Delhi
3. Deputy Inspector General Sector Head Quarter, S.S.B. Ranikhet, 263645, District Almora.

Sri Prabhaker Joshi, Advocate for the petitioner
A.S.G. for the respondents.

Dated: 31.03.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to consider the case of the petitioner for the promotion from the post of sub Inspector (GD) to the post of Inspector (GD) according to the seniority from the date of appointment in the post of Head Constable (L.D.C.).

Briefly stated the petitioner was appointed as Head Constable L.D.C. Clerk on 12.03.1969. According to the petitioner his cadre was changed from Head Constable Clerk to the Head Constable (General Duty) vide order dated 14.3.1976. After completing service of 9 years the petitioner became eligible for promotion on the post of Sub Inspector (General Duty) on

13.10.1978. The respondent department conducted the departmental test for the purpose of promotion in the year 1976. The petitioner appeared in the said test and was declared successful and accordingly he was sent before the departmental promotion committee but due to ban on the promotion the petitioner could not be promoted on 13.10.1978. The petitioner again appeared in the Departmental promotion test held on October 1979 and he again successfully qualified the test but he could not be promoted.

The grievance of the petitioner is that in the year 1984, ten employees junior to the petitioner were promoted to the post of Sub Inspector (G.D.) but the petitioner has not been promoted despite being eligible for the promotion. The petitioner has submitted that he has preferred a representation to the respondent no.2 on 17.3.1988, which has not been decided as yet.

In view of the above, respondents are directed to decide the representation of the petitioner within a month after the receipt of the certified copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

Dated: 31.3.2006 **Rajesh Tandon, J.**

*Dhyani